

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

MAY 24 2019

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

In re: BARD IVC FILTERS PRODUCT
LIABILITY LITIGATION,

SHERR-UNA BOOKER,

Plaintiff-Appellee,

v.

C. R. BARD, INC., a New Jersey
corporation; BARD PERIPHERAL
VASCULAR, INC., a subsidiary and/or
Division of defendant C.R. Bard, Inc., an
Arizona corporation,

Defendants-Appellants.

No. 18-16349

D.C. Nos. 2:15-md-02641-DGC
2:16-cv-00474-DGC

District of Arizona,
Phoenix

ORDER

In re: BARD IVC FILTERS PRODUCT
LIABILITY LITIGATION,

SHERR-UNA BOOKER,

Plaintiff-Appellant,

v.

C. R. BARD, INC., a New Jersey
corporation; BARD PERIPHERAL
VASCULAR, INC., a subsidiary and/or
Division of defendant C.R. Bard, Inc., an
Arizona corporation,

No. 18-16460

D.C. Nos. 2:15-md-02641-DGC
2:16-cv-00474-DGC

Defendants-Appellees.

The parties' stipulated motion (Docket Entry No. 51) for voluntary dismissal of No. 18-16460 is granted. No. 18-16460 is dismissed with prejudice. *See* Fed. R. App. P. 42(b). Costs and fees shall be allocated pursuant to the parties' stipulation.

No. 18-16349 shall proceed.

The opening brief in No. 18-16349 has been filed (Docket Entry No. 25).

The Clerk will file the answering brief submitted at Docket Entry No. 49 and the amicus brief for American Association of Justice submitted at Docket Entry No. 52.

The optional reply brief is due within 21 days after the date of this order.

This order served on the district court shall act as and for the mandate of this court as to No. 18-16460 only.

FOR THE COURT:

MOLLY C. DWYER
CLERK OF COURT

By: Linda K. King
Deputy Clerk
Ninth Circuit Rule 27-7